

## CIVIL DOCKET

## UNITED STATES DISTRICT COURT

Jury demand date: ~~12-21-72~~ *waived*  
*1-21-74*

D. C. Form No. 106A Rev.

TITLE OF CASE	ATTORNEYS
<p>A. C. HOYLE COMPANY, a corporation</p> <p>v.</p> <p>SUPERIOR WELDING, INC., a corporation,</p> <p>INTERSTATE TOOL AND MANUFACTURING COMPANY, INC, Third Party Defendant</p> <p>vs</p> <p>UNIVERSAL STEEL CORPORATION, Addit. Third Party Defendant</p>	<p>For plaintiff:</p> <p><i>400 632-7711</i> Roger Brown <del>8600 South Interstate 35</del> <i>P.O. Box 94910</i> Oklahoma City, Oklahoma <i>73129</i></p> <p>D. Kent Meyers Crowe, Dunlevy, Thweatt, Swinford, Johnson &amp; Burdick 1700 Liberty Tower Oklahoma City <i>232-0661</i></p> <p>For defendant:</p> <p><i>W.</i> James <del>D.</del> Connor <i>236-8114</i> Selby &amp; Connor 416 East 5th Street Bartlesville, Okla. 74003</p> <p>Craig Blackstock Blackstock Joyce Pollard &amp; McInerney 13th Floor, Petroleum Club Bldg. Tulsa, Okla. <i>74119</i></p> <p>Phillips Breckinridge (Universal) 1700 Fourth Natl. Bank Bldg. Tulsa 74119</p>

  

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
<p>J.S. 5 mailed <i>11-1-72</i></p> <p>J.S. 6 mailed <i>9-1-74</i></p> <p>Basis of Action: damages re breach of purchase contract.</p> <p>Action arose at: transf. from W.D. of Okla.</p>	<p>Clerk</p> <p>Marshal</p> <p>Docket fee</p> <p>Witness fees</p> <p>Depositions</p>				

DATE	PROCEEDINGS	Date Order or Judgment Noted
10-10-72	Transcript of proceedings filed in the W. D. of Oklahoma, filed. rm (Praeipe for sum., complaint, sum., Mo./Change of Venue w/brief; Mo./make more definite statement w/brief, and order transferring case.)	
11-2-72	Defendant's answer, and Cross-Complaint filed, ds summons issued. (to Marshal) AND Third-party joinder.	
11-9-72	Return on U.S. Marshals Service, Summons, filed. Served Randall G. West, by serving Bob Logston, in Tulsa, Okla., on 11-8-72, with fees of \$5.00. v	
11-20-72	A. C. Hoyle Company's first set of interrogatories to defendant, filed. ds	
11-28-72	Answer of third party deft. Interstate Tool & Manuf. Co., Inc., to complaint and third party complaint, filed. hm	
12-18-72	of pltf. Answer to cross complaint, filed. hm	
12-21-72	Demand for jury trial of deft. & third party complainant, filed. hm	
12-21-72	Answers to interrogatories, filed. hm	
1-31-73	Case set for pre-trial hearing 2-14-73 at 10:00 a.m. (LB-J)hm	
2-14-73	Case called for pre-trial hearing and stricken for 60 days pending settlement or preparation for final pre-trial. (LB-J)hm	
4-4-73	Motion of all parties for leave to serve add. 3rd pty def., filed. rm	
4-9-73	Order granting leave for service of additional third party deft., filed, allowing third party deft. Interstate Tool & Manuf. Co. to serve a summons & complaint upon Universal Steel Corp as an addit. party deft. (LB-J)hm (copies mailed)	
4-9-73	Third party complaint, filed. Summons issued. hm	
4-12-73	Third Party Summons, ret. & filed: served Universal Steel Corp., Tulsa, Ok. unserved - no longer in existence. (USM \$1.68)g	
4-19-73	Third Party summons, ret. & filed: served Universal Steel Corp., Ok. City, 4-16-73. (USM \$10.00)g	
5-4-73	Appl. for order extending the time to answer, filed. v <i>copies mailed to Judge</i>	
5-9-73	Order, filed, granting third party deft., Universal Steel Corp., until May 22, 1973, to answer. (LB-J)v -copies mailed.	
5-22-73	to 3rd pty complaint Answer/ of 3rd pty def., Univ. Steel Corp., filed. rm (	
7-5-73	Case set for pre-trial hearing 7-19-73 at 11:00 a.m. (LB-J)hm	
7-9-73	Notice to take deposition, filed by Univ. Steel Corp., 3rd party Deft. v	
7-19-73	Pre-trial hearing held. Statements made. Pltf. to prepare pre-trial order within 60 days and state whether jury is waived. Parties may request additional pre-trial conference. (LB-J)hm	
8-2-73	Notice of taking deposition upon oral examination, filed by pltf. filed. r	
8-24-73	Notice of taking dep. of Robert Kane, upon oral exam., filed by deft. Interstate Tool & Mfg. Co., filed. r	

(continued)

DATE	PROCEEDINGS	Date Order or Judgment Noted
8-28-73	Case set for jury trial 10-25-73 at 9:30 a.m. (LB-J)hm	
9-20-73	Case continued from jury trial setting of 10-25-73 and reset on 10-31-73 at 9:30 a.m. (LB-J)hm	
9-21-73	Joint motion for continuance, filed. hm <i>to Judge W. order</i>	
9-26-73	Preliminary pretrial order, filed. (LB-J)hm	
9-26-73	Ordered by the Court that joint motion for continuance is denied. (LB-J)hm (letter written)	
10-5-73	Ordered by the Court that at the requests of all parties, is stricken from the Jury trial setting of 10-31-73 and case to be reset at a later date. (LB-J)r (Attys notified by letter)	
10-15-73	Testimony of Russell Rosolino, filed. hm	
10-15-73	Testimony of Roland J. Dunn, Jr., filed. hm	
10-15-73	Testimony of Robert P. Kane, filed. hm	
10-24-73	Testimony of Edward Bech, filed. hm	
10-24-73	Exhibits to deposition of Edward Bech, filed. hm (Testimony)	
11-26-73	Dep./of James Lyle Taylor, filed. jj	
12-11-73	Case set for jury trial 1-21-74 at 9:30 a.m. (LB-J)hm	
1-21-74	Case called for jury trial. Jury waived by parties and case to be set for non-jury trial in latter part of Feb. Pre-trial order that is agreed-to to be submitted by parties. (LB-J)hm <i>don't set week of 2-26</i>	
1-24-74	Deposition of Kenneth Mortimer, filed./g	
1-28-74	Deposition of Joseph W. Lodge, filed. rm	
3-22-74	Case set for Non-Jury Trial, 4-1-74 at 1:30 P.M. (LB-J)jj	
3-25-74	Case stricken from non-jury trial of 4-1-74 at request of Pltf., to be reset. (LB-J)hm	
4-1-74	Deposition of Joseph W. Lodge, filed. e	
6-4-74	Case set for non-jury trial 6-17-74 at 11:00 a.m. (LB-J)hm	
6-17-74	Pretrial order, filed. (LB-J)hm	
6-17-74	Case called for non-jury trial. Motion to dismiss as to Universal Steel Company, filed in open court. After conference among attorneys, parties announce settlement and make certain stipulations as to settlement. Pltf. to prepare order of dismissal with prejudice within 10 days. (LB-J)hm	
7-25-74	Proceedings at Settlement Hearing, 6/17/74, filed. lm	
8-2-74	Order, filed, dismissing all actions with prejudice; Pltf is allowed to retain \$10,619.00; Pltf shall <sup>by agreement</sup> receive from def. Superior the sum of \$6,000.00, def. Interstate \$1,000.00 & def. Universal \$1,000.00. (LB-J)k copies mailed.k	

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